

SENATE JOURNAL

EIGHTY-SECOND LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

SIXTY-SEVENTH DAY

(Continued)

(Wednesday, May 25, 2011)

AFTER RECESS

The Senate met at 9:00 a.m. and was called to order by Senator Eltife.

**SESSION HELD FOR
LOCAL AND UNCONTESTED CALENDAR**

The Presiding Officer announced that the time had arrived to consider bills and resolutions placed on the Local and Uncontested Calendar. Notice of consideration of the local calendar was given by Senator Eltife yesterday.

Pursuant to Senate Rule 9.03(d), the following bills and resolutions were laid before the Senate in the order listed, read second time, amended where applicable, passed to engrossment or third reading, read third time, and passed. The votes on passage to engrossment or third reading, suspension of the Constitutional Three-day Rule, and final passage are indicated after each caption. All Members are deemed to have voted "Yea" on viva voce votes unless otherwise indicated.

(Senator Uresti in Chair)

HB 14 (Eltife)

Relating to the eligibility for unemployment benefits of a person receiving certain forms of remuneration.

(viva voce vote) (31-0) (31-0)

(Senator Eltife in Chair)

HB 25 (Patrick)

Relating to the carrying of certain weapons in a watercraft.

(viva voce vote) (31-0) (31-0)

HB 42 (Van de Putte)

Relating to the duty imposed on the operator of a motor vehicle that strikes a structure adjacent to a highway.

(viva voce vote) (31-0) (31-0)

HB 78 (Williams)

Relating to the purchase of food and beverages by certain state law enforcement agencies for peace officer training functions.

(viva voce vote) (31-0) (31-0)

CSHB 167 (Zaffirini)

Relating to the transportation of certain mental health patients.

(viva voce vote) (31-0) (31-0)

CSHB 218 (Uresti)

Relating to possessing a glass container within the boundaries of certain riverbeds; providing criminal penalties.

(viva voce vote) (31-0) (31-0)

CSHB 232 (Ogden)

Relating to the amendment of restrictions affecting real property in certain subdivisions.

(viva voce vote) (31-0) (31-0)

HB 242 (Hegar)

Relating to the authority of certain retired peace officers to carry certain firearms.

(viva voce vote) (31-0) (31-0)

HB 289 (Nelson)

Relating to activity that constitutes maintaining a common nuisance.

(viva voce vote) (31-0) (31-0)

CSHB 362 (West)

Relating to the regulation by a property owners' association of the installation of solar energy devices and certain roofing materials on property.

(viva voce vote) (31-0) (31-0)

HB 371 (Hegar)

Relating to prohibiting deferred adjudication community supervision for certain defendants convicted of murder.

(viva voce vote) (31-0) (31-0)

HB 384 (Wentworth)

Relating to the proper identification of boats and outboard motors; creating an offense.

(viva voce vote) (31-0) (31-0)

HB 398 (Hegar)

Relating to the eligibility of employees convicted of certain offenses to provide services under a contract with a public school.

(viva voce vote) (31-0) (31-0)

CSHB 422 (Williams)

Relating to certain oversize and overweight permits issued by the Texas Department of Transportation.

(viva voce vote) (31-0) (31-0)

HB 427 (Deuell)

Relating to the creation of the Rowlett Waterfront Entertainment Management District; providing authority to impose a tax, levy an assessment, and issue bonds.

(viva voce vote) (31-0) (31-0)

(Senator Birdwell in Chair)**HB 452** (Lucio)

Relating to temporary housing between academic terms for certain postsecondary students who have been under the conservatorship of the Department of Family and Protective Services.

(viva voce vote) (31-0) (31-0)

HB 554 (Watson)

Relating to the civil service status of emergency medical services personnel in certain municipalities.

(viva voce vote) (31-0) (31-0)

HB 559 (Hinojosa)

Relating to Bronze Star Medal and Bronze Star Medal with Valor specialty license plates.

(viva voce vote) (31-0) (31-0)

HB 645 (Patrick)

Relating to the information required to be included on a form for an application for an exemption from ad valorem taxation of property owned by a charitable organization.

(viva voce vote) (31-0) (31-0)

HB 673 (Harris)

Relating to the production and use of an instructional video on recreational water safety.

(viva voce vote) (31-0) (31-0)

CSHB 680 (Huffman)

Relating to complaints filed with the Texas Medical Board.

(viva voce vote) (31-0) (31-0)

HB 709 (Patrick)

Relating to the creation of the Harris County Municipal Utility District No. 524; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

(viva voce vote) (31-0) (31-0)

HB 710 (Deuell)

Relating to verification of identity of applicants for benefits under and prevention of duplicate participation in the financial assistance and supplemental nutrition assistance programs.

(viva voce vote) (31-0) (31-0)

(Senator Eltife in Chair)**HB 718** (Birdwell)

Relating to the period in which a person commits the offense of funeral service disruption.

(viva voce vote) (31-0) (31-0)

(Senator Birdwell in Chair)**CSHB 742** (Hinojosa)

Relating to student information required to be provided at the time of enrollment in public schools.

(viva voce vote) (31-0) (31-0)

HB 748 (Van de Putte)

Relating to a criminal defendant's incompetency to stand trial, to certain related time credits, and to the maximum period allowed for restoration of the defendant to competency.

(viva voce vote) (31-0) (31-0)

HB 782 (Wentworth)

Relating to a requirement that certain bond issuers obtain an appraisal of property that is to be purchased with bond proceeds.

(viva voce vote) (31-0) (31-0)

HB 790 (Hegar)

Relating to the continuing issuance of freshwater fishing stamps by the Parks and Wildlife Department.

(viva voce vote) (31-0) (31-0)

(Senator Rodriguez in Chair)**HB 807** (Nelson)

Relating to the notice provided to a foster parent before a change in a child's foster care placement.

(viva voce vote) (31-0) (31-0)

CSHB 811 (Duncan)

Relating to the powers and duties of the Scurry County Hospital District.

(viva voce vote) (31-0) (31-0)

HB 844 (Nelson)

Relating to the sale or lease of property by certain municipalities owning land near the shoreline of certain lakes.

(viva voce vote) (31-0) (31-0)

HB 850 (Duncan)

Relating to the Rankin County Hospital District.

(viva voce vote) (31-0) (31-0)

HB 896 (Patrick)

Relating to auxiliary members of an appraisal review board.

(viva voce vote) (31-0) (31-0)

HB 961 (Hinojosa)

Relating to the sealing of and restricting access to juvenile records of adjudications of delinquent conduct or conduct indicating a need for supervision and to the confidentiality of records of certain misdemeanor convictions of a child.

(viva voce vote) (31-0) (31-0)

CSHB 992 (Zaffirini)

Relating to excess undergraduate credit hours at public institutions of higher education.

(viva voce vote) (31-0) (31-0)

CSHB 1000 (Zaffirini)

Relating to the distribution of money appropriated from the national research university fund; making an appropriation.

(viva voce vote) (31-0) (31-0)

HB 1009 (Hegar)

Relating to procedures for obtaining informed consent before certain postmortem examinations or autopsies.

(viva voce vote) (31-0) (31-0)

HB 1033 (Seliger)

Relating to the authority of certain counties to impose a county hotel occupancy tax.

(viva voce vote) (31-0) (31-0)

HB 1046 (Huffman)

Relating to the confidentiality of certain personal information concerning current and former employees of certain divisions of the office of attorney general.

(viva voce vote) (31-0) (31-0)

HB 1071 (Ellis)

Relating to the extension of deed restrictions in certain residential real estate subdivisions.

(viva voce vote) (31-0) (31-0)

HB 1080 (Hinojosa)

Relating to an exemption for active duty personnel and certain veterans from the requirement to complete the live firing portion of a hunter education program.

(viva voce vote) (31-0) (31-0)

HB 1083 (Hegar)

Relating to the issuance of an identification card to certain honorably retired peace officers.

(viva voce vote) (31-0) (31-0)

CSHB 1111 (Harris)

Relating to a tenant's failure to pay rent during an appeal of an eviction for nonpayment of rent after filing a pauper's affidavit.

(viva voce vote) (31-0) (31-0)

HB 1113 (Zaffirini)

Relating to the sentencing hearing or deferred adjudication hearing and conditions of community supervision for defendants convicted of certain offenses involving controlled substances.

(viva voce vote) (31-0) (31-0)

HB 1118 (Huffman)

Relating to the resale of property purchased by a taxing unit at a tax sale.

(viva voce vote) (31-0) (31-0)

HB 1205 (Ellis)

Relating to the procedures for reducing or terminating community supervision and the establishment of certain time credits through which a defendant's period of community supervision is reduced.

(viva voce vote) Nelson "Nay" (30-1) Nelson "Nay" (30-1) Nelson "Nay"

HB 1224 (Huffman)

Relating to expulsion of a public school student who commits certain criminal acts involving a computer, computer network, or computer system owned by or operated on behalf of a school district.

(viva voce vote) (31-0) (31-0)

HB 1234 (Wentworth)

Relating to the authority of certain counties to impose a county hotel occupancy tax.

(viva voce vote) (31-0) (31-0)

HB 1247 (Birdwell)

Relating to the repeal of certain prohibitions on purchases of paper supplies and cabinets by state agencies.

(viva voce vote) (31-0) (31-0)

HB 1293 (Seliger)

Relating to the Moore County Hospital District.

(viva voce vote) (31-0) (31-0)

HB 1314 (Zaffirini)

Relating to the operation and jurisdiction of certain district courts serving Webb County.

(viva voce vote) (31-0) (31-0)

HB 1330 (Zaffirini)

Relating to the use of safety guards or flaps on certain vehicles or vehicle combinations.

(viva voce vote) (31-0) (31-0)

(Senator Van de Putte in Chair)

HB 1402 (Zaffirini)

Relating to the applicability of the law on the consequences of a criminal conviction to law enforcement officer license holders and applicants.

(viva voce vote) (31-0) (31-0)

CSHB 1413 (Duncan)

Relating to the powers and duties of the Castro County Hospital District.

(viva voce vote) (31-0) (31-0)

HB 1429 (Carona)

Relating to rights and remedies of certain residential tenants; providing civil penalties.

(viva voce vote) (31-0) (31-0)

HB 1473 (Hinojosa)

Relating to creating the offense of altering a disabled parking placard.

(viva voce vote) (31-0) (31-0)

HB 1476 (Nichols)

Relating to the grounds for revocation of an emergency medical services personnel certification.

(viva voce vote) (31-0) (31-0)

CSHB 1496 (Uresti)

Relating to the contracting authority of the Val Verde County Hospital District.

(viva voce vote) (31-0) (31-0)

HB 1500 (Nichols)

Relating to allowing the commissioners court of a county to deliberate in a closed meeting regarding business and financial issues related to a contract being negotiated.

(viva voce vote) (31-0) (31-0)

HB 1528 (Fraser)

Relating to consolidating precincts in a primary election.

(viva voce vote) (31-0) (31-0)

HB 1622 (Wentworth)

Relating to suits to enjoin gang activity that constitutes a public nuisance.

(viva voce vote) (31-0) (31-0)

CSHB 1638 (Whitmire)

Relating to the disqualification of a district or county attorney who is the subject of a criminal investigation.

(viva voce vote) (31-0) (31-0)

HB 1651 (West)

Relating to the North Oak Cliff Municipal Management District.

(viva voce vote) (31-0) (31-0)

HB 1690 (Deuell)

Relating to the use of municipal hotel occupancy tax revenue to enhance and upgrade sports facilities in certain municipalities.

(viva voce vote) (31-0) (31-0)

HB 1721 (Zaffirini)

Relating to protective orders for certain victims of stalking or sexual assault.

(viva voce vote) (31-0) (31-0)

HB 1737 (Huffman)

Relating to the installation of a speed feedback sign by a property owners' association.

(viva voce vote) (31-0) (31-0)

HB 1750 (Williams)

Relating to the authority of the Texas Department of Transportation to lease and contract for the operation of rolling stock during certain emergencies.

(viva voce vote) (31-0) (31-0)

CSHB 1759 (Watson)

Relating to the creation of the Pilot Knob Municipal Utility District No. 4; providing authority to impose a tax and issue bonds.

(viva voce vote) (31-0) (31-0)

CSHB 1760 (Watson)

Relating to the creation of the Pilot Knob Municipal Utility District No. 5; providing authority to impose a tax and issue bonds.

(viva voce vote) (31-0) (31-0)

(Senator Uresti in Chair)

HB 1784 (Van de Putte)

Relating to requiring an interagency memorandum of understanding regarding the Public Assistance Reporting Information System and to the use of data from that system.

(viva voce vote) (31-0) (31-0)

(Senator Van de Putte in Chair)

HB 1822 (Huffman)

Relating to the withdrawal of security by a bail bond surety.

(viva voce vote) (31-0) (31-0)

HB 1823 (Huffman)

Relating to the authority of certain persons to execute bail bonds and act as sureties.

(viva voce vote) (31-0) (31-0)

HB 1856 (Patrick)

Relating to the prosecution of and punishment for the offense of tampering with a witness.

(viva voce vote) (31-0) (31-0)

HB 1891 (Huffman)

Relating to the execution of a search warrant for data or information contained in or on certain devices.

(viva voce vote) (31-0) (31-0)

HB 1897 (Deuell)

Relating to the jurisdiction of, number of jurors in, and the clerk serving the County Court at Law of Van Zandt County.

(viva voce vote) (31-0) (31-0)

(Senator Uresti in Chair)

HB 1930 (Van de Putte)

Relating to the membership and duties of the Human Trafficking Prevention Task Force.

(viva voce vote) (31-0) (31-0)

HB 1967 (Duncan)

Relating to the contracting authority of the Collingsworth County Hospital District.

(viva voce vote) (31-0) (31-0)

HB 1994 (Van de Putte)

Relating to the creation of a first offender prostitution prevention program.

(viva voce vote) (31-0) (31-0)

CSHB 2004 (Jackson)

Relating to the sale of certain state property in Brazoria County by the Texas Board of Criminal Justice.

(viva voce vote) (31-0) (31-0)

(Senator Van de Putte in Chair)

HB 2047 (Uresti)

Relating to service of process at the registered office of certain registered agents.

(viva voce vote) (31-0) (31-0)

(Senator Uresti in Chair)

HB 2096 (Ellis)

Relating to the filing of writs of habeas corpus in mental health cases.

(viva voce vote) (31-0) (31-0)

CSHB 2102 (Ellis)

Relating to the requirement that certain mammography reports contain information regarding supplemental breast cancer screening.

(viva voce vote) (31-0) (31-0)

HB 2104 (West)

Relating to the amount of the bond for county taxes required to be given by the county assessor-collector for certain counties.

(viva voce vote) (31-0) (31-0)

HB 2119 (Whitmire)

Relating to the requirement that the Texas Correctional Office on Offenders with Medical or Mental Impairments provide certain services and programs.

(viva voce vote) (31-0) (31-0)

HB 2124 (Huffman)

Relating to victim notification regarding the release of a defendant who was acquitted by reason of insanity in a criminal case.

(viva voce vote) (31-0) (31-0)

HB 2138 (Zaffirini)

Relating to the search for and rescue of victims of water-oriented accidents.

(viva voce vote) (31-0) (31-0)

HB 2141 (Williams)

Relating to enforcement of laws related to water safety.

(viva voce vote) (31-0) (31-0)

HB 2193 (Duncan)

Relating to service and qualifications for membership on an advisory committee established by the Employees Retirement System of Texas to provide advice to the board of trustees on investments and investment-related issues.

(viva voce vote) (31-0) (31-0)

CSHB 2194 (Jackson)

Relating to certain election practices and procedures; providing a penalty.

(viva voce vote) (31-0) (31-0)

HB 2220 (Ellis)

Relating to the requirement to prepay ad valorem taxes as a prerequisite to determining certain motions or protests and the authority of an appraisal review board to determine compliance with the requirement.

(viva voce vote) (31-0) (31-0)

HB 2238 (Nichols)

Relating to the powers and duties of the Montgomery County Municipal Utility District No. 112.

(viva voce vote) (31-0) (31-0)

HB 2247 (Gallegos)

Relating to the eligibility of the adjutant general's department to receive Foundation School Program funding for students enrolled in the Texas ChalleNGe Academy.

(viva voce vote) (31-0) (31-0)

HB 2256 (Williams)

Relating to abating or deferring the suspension or revocation of a license issued by the Department of Public Safety for victims of identity theft.

(viva voce vote) (31-0) (31-0)

CSHB 2265 (Gallegos)

Relating to a county audit of a hotel regarding the hotel occupancy tax.

(viva voce vote) (31-0) (31-0)

HB 2266 (Patrick)

Relating to fire code certificates of compliance.

(viva voce vote) (31-0) (31-0)

HB 2296 (Huffman)

Relating to the creation of Jefferson County Management District No. 1; providing authority to impose an assessment, impose a tax, and issue bonds.

(viva voce vote) (31-0) (31-0)

HB 2310 (Wentworth)

Relating to appointment of bailiffs for the district courts in Comal, Hays, and Caldwell Counties.

(viva voce vote) (31-0) (31-0)

HB 2315 (Deuell)

Relating to a county's general revenue levy for indigent health care.

(viva voce vote) (31-0) (31-0)

HB 2346 (Huffman)

Relating to authorized investments for ports and navigation districts.

(viva voce vote) (31-0) (31-0)

HB 2363 (Deuell)

Relating to the creation of the Bearpen Creek Municipal Utility District of Hunt County; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

(viva voce vote) (31-0) (31-0)

HB 2460 (Wentworth)

Relating to confidentiality of information held by a public retirement system.
(viva voce vote) (31-0) (31-0)

CSHB 2463 (Ellis)

Relating to access to certain records regarding an employment discrimination claim.
(viva voce vote) (31-0) (31-0)

(Senator Rodriguez in Chair)**HB 2492** (Uresti)

Relating to the family allowance, treatment of exempt property, and an allowance in lieu of exempt property in the administration of a decedent's estate.
(viva voce vote) (31-0) (31-0)

HB 2496 (Carona)

Relating to creating a teen dating violence court program and the deferral of adjudication and dismissal of certain dating violence cases.
(viva voce vote) (31-0) (31-0)

CSHB 2516 (Gallegos)

Relating to the appeal of an indefinite suspension of a municipal firefighter.
(viva voce vote) (31-0) (31-0)

HB 2541 (Nelson)

Relating to the regulation of traffic on certain roads by counties.
(viva voce vote) (31-0) (31-0)

CSHB 2549 (Estes)

Relating to the authority of a state employee to authorize a deduction from the employee's salary or wage payment for a charitable contribution to certain entities.
(viva voce vote) (31-0) (31-0)

HB 2575 (Harris)

Relating to the Texas Department of Motor Vehicles' electronic lien system.
(viva voce vote) (31-0) (31-0)

HB 2577 (Hegar)

Relating to the unlawful use of a criminal instrument or mechanical security device; providing a penalty.
(viva voce vote) (31-0) (31-0)

HB 2584 (Harris)

Relating to authorizing certain municipalities to donate surplus real property of negligible or negative value to certain private persons.
(viva voce vote) (31-0) (31-0)

CSHB 2596 (Wentworth)

Relating to the authority of certain municipalities to lower speed limits on certain highways.
(viva voce vote) (31-0) (31-0)

HB 2651 (Ellis)

Relating to the eligibility of visitors to use certain public transportation services for people with disabilities.

(viva voce vote) (31-0) (31-0)

CSHB 2655 (Carona)

Relating to notice of coverage reduction on renewal of a property/casualty insurance policy.

(viva voce vote) (31-0) (31-0)

CSHB 2662 (Hinojosa)

Relating to the criteria for determining whether a child is a missing child.

(viva voce vote) (31-0) (31-0)

HB 2678 (Wentworth)

Relating to driver training and education.

(viva voce vote) (31-0) (31-0)

HB 2702 (Eltime)

Relating to the application of statutes that classify political subdivisions according to population.

(viva voce vote) (31-0) (31-0)

Senator Eltime offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **HB 2702** (house engrossment) as follows:

(1) In SECTION 181 of the bill, in amended Section 36.121, Water Code, insert "but greater than 100,000" between "less" and "and" on page 81, line 17.

(2) In SECTION 181 of the bill, in amended Section 36.121, Water Code, insert "but greater than 100,000" between "less" and the comma on page 81, line 20.

The amendment to **HB 2702** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Committee Amendment No. 1.

Senator Eltime offered the following committee amendment to the bill:

Committee Amendment No. 2

Amend **HB 2702** (house engrossed version) in SECTION 122 of the bill, in amended Section 352.002(a)(12), Tax Code (page 57, line 27), by striking "36,000" [~~35,000~~] and substituting "35,000".

The amendment to **HB 2702** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Committee Amendment No. 2.

On motion of Senator Eltime and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

HB 2722 (Duncan)

Relating to the state Medicaid program as the payor of last resort.
(viva voce vote) (31-0) (31-0)

CSHB 2794 (Hegar)

Relating to the creation of the Calhoun County Groundwater Conservation District.
(viva voce vote) (31-0) (31-0)

HB 2819 (Nelson)

Relating to the operation and efficiency of the eligibility determination process for supplemental nutrition assistance program benefits.
(viva voce vote) (31-0) (31-0)

HB 2847 (Whitmire)

Relating to the use of video teleconferencing systems in certain criminal proceedings.
(viva voce vote) (31-0) (31-0)

Senator Whitmire offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **HB 2847** (house engrossment) as follows:

(1) On page 3, lines 20-21, strike "Subsections (c-1) and (c-2)" and substitute "Subsection (c-1)".

(2) Strike the language beginning on page 3, line 22, and ending on page 4, line 3, and substitute the following:

(c) A record [~~recording~~] of the communication shall be made by a court reporter and preserved by the court reporter until all appellate proceedings have been disposed of. The defendant may obtain a copy of the record [~~recording~~] on payment of a reasonable amount to cover the costs of reproduction or, if the defendant is indigent, the court shall provide a copy to the defendant without charging a cost for the copy.

(3) On page 4, line 4, strike "(c-2)" and substitute "(c-1)".

(4) On page 4, lines 4-5, strike "video recording" and substitute "record".

(5) Add the following appropriately numbered SECTION to the bill and renumber existing SECTIONS of the bill accordingly:

SECTION _____. Article 102.017(d-1), Code of Criminal Procedure, is amended to read as follows:

(d-1) For purposes of this article, the term "security personnel, services, and items" includes:

- (1) the purchase or repair of X-ray machines and conveying systems;
- (2) handheld metal detectors;
- (3) walkthrough metal detectors;
- (4) identification cards and systems;
- (5) electronic locking and surveillance equipment;
- (6) video teleconferencing systems;
- (7) bailiffs, deputy sheriffs, deputy constables, or contract security personnel during times when they are providing appropriate security services;
- (8) [~~(7)~~] signage;
- (9) [~~(8)~~] confiscated weapon inventory and tracking systems;
- (10) [~~(9)~~] locks, chains, alarms, or similar security devices;

(11) ~~(10)~~ the purchase or repair of bullet-proof glass; and
 (12) ~~(11)~~ continuing education on security issues for court personnel and security personnel.

The amendment to **HB 2847** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Committee Amendment No. 1.

On motion of Senator Whitmire and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSHB 2909 (Shapiro)

Relating to increasing awareness in this state of the importance of higher education.

(viva voce vote) (31-0) (31-0)

HB 2931 (Van de Putte)

Relating to certain debt cancellation agreements made in connection with retail installment contracts.

(viva voce vote) (31-0) (31-0)

Senator Van de Putte offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **HB 2931** (house engrossed version) as follows:

(1) Strike added Section 348.601(c), Finance Code (page 2, lines 2-4), and reletter subsequent subsections accordingly.

(2) In added Section 348.603(14), Finance Code (page 6, line 12), following the semicolon, strike "and".

(3) In added Section 348.603(15), Finance Code (page 6, line 15), strike "." and substitute "; and".

(4) Following added Section 348.603(15), Finance Code (page 6, between lines 15 and 16), insert the following:

(16) that the holder will cancel certain amounts under the debt cancellation agreement for total loss or theft of a motor vehicle, in the following or substantially similar language: "YOU WILL CANCEL CERTAIN AMOUNTS I OWE UNDER THIS CONTRACT IN THE CASE OF A TOTAL LOSS OR THEFT OF THE VEHICLE AS STATED IN THE DEBT CANCELLATION AGREEMENT."

(5) Strike added Section 348.604(e), Finance Code (page 7, lines 8-12), and substitute the following:

(e) If after approval of a form the Office of Consumer Credit Commissioner discovers that approval could have been denied under Subsection (d), the commissioner may order a retail seller, any administrator of the debt cancellation agreement, or a holder to submit a corrected form for approval. Beginning as soon as reasonably practicable after approval of the corrected form, the retail seller, administrator, or holder shall use the corrected form for all sales.

(f) A debt cancellation agreement form that has been approved by the commissioner is public information subject to disclosure under Chapter 552, Government Code. Section 552.110, Government Code, does not apply to a form approved under this subchapter.

(6) Following added Section 348.605(g), Finance Code (page 8, between lines 15 and 16), add the following:

(h) A retail seller that negotiates a debt cancellation agreement and subsequently assigns the contract shall:

(1) maintain documents relating to the agreement that come into the retail seller's possession; and

(2) on request of the Office of Consumer Credit Commissioner, cooperate in requesting and obtaining access to documents relating to the agreement not in the retail seller's possession.

The amendment to **HB 2931** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Committee Amendment No. 1.

On motion of Senator Van de Putte and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSHB 2947 (Shapiro)

Relating to the exception of an audit working paper of a hospital district from required disclosure under the public information law.

(viva voce vote) (31-0) (31-0)

HB 2960 (Hinojosa)

Relating to vehicles used for the purpose of participating in equine activities or attending livestock shows.

(viva voce vote) (31-0) (31-0)

HB 2966 (Zaffirini)

Relating to the confidentiality of certain communications and records made or collected in reference to certain sexual assault survivors.

(viva voce vote) (31-0) (31-0)

HB 2972 (Wentworth)

Relating to the municipal sales and use tax for street maintenance.

(viva voce vote) (31-0) (31-0)

(Senator Eltife in Chair)

CSHB 2975 (Harris)

Relating to continuing education for physicians and nurses regarding the treatment of tick-borne diseases.

(viva voce vote) (31-0) (31-0)

CSHB 2981 (Hegar)

Relating to the operation on a highway or street of a motor vehicle that is drawing a boat or personal watercraft in or on which a child is riding; providing a penalty.

(viva voce vote) (31-0) (31-0)

(Senator Uresti in Chair)**HB 3003** (Eltife)

Relating to the issuance of an identification card to certain individuals to permit entrance into certain county buildings without passing through security services.

(viva voce vote) (31-0) (31-0)

(Senator Eltife in Chair)**HB 3030** (Wentworth)

Relating to the funding of projects in the boundaries of certain intermunicipal commuter rail districts.

(viva voce vote) (31-0) (31-0)

HB 3076 (Uresti)

Relating to the rate of the hotel occupancy tax in certain counties.

(viva voce vote) (31-0) (31-0)

HB 3085 (Nelson)

Relating to the period of a license for a freestanding medical emergency care facility.

(viva voce vote) (31-0) (31-0)

HB 3096 (Carona)

Relating to the cancellation of a subdivision by a commissioners court.

(viva voce vote) (31-0) (31-0)

CSHB 3099 (Hegar)

Relating to the office of inspector general of the Department of Public Safety.

(viva voce vote) (31-0) (31-0)

CSHB 3117 (Watson)

Relating to the reporting of information to claims databases by insurers.

(viva voce vote) (31-0) (31-0)

HB 3125 (Patrick)

Relating to the offenses of unauthorized duplication, unauthorized recording, unauthorized operation of recording device, and improper labeling of recordings.

(viva voce vote) (31-0) (31-0)

HB 3197 (Deuell)

Relating to creating a pilot program to implement the culture change model of care at certain state supported living centers.

(viva voce vote) (31-0) (31-0)

HB 3208 (Deuell)

Relating to the designation of a segment of U.S. Highway 80 in the town of Sunnyvale as a Blue Star Memorial Highway.

(viva voce vote) (31-0) (31-0)

HB 3216 (West)

Relating to electronic communication between property owners and chief appraisers, appraisal districts, appraisal review boards, or any combination of those persons.

(viva voce vote) (31-0) (31-0)

HB 3369 (Nelson)

Relating to the registration of certain physical therapy facilities by the Texas Board of Physical Therapy Examiners.

(viva voce vote) (31-0) (31-0)

HB 3384 (Whitmire)

Relating to the penalties for repeat and habitual felony offenders.

(viva voce vote) (31-0) (31-0)

CSHB 3395 (Lucio)

Relating to state purchasing preferences for recycled products and to the efficient operation of certain telecommunications entities.

(viva voce vote) (31-0) (31-0)

HB 3399 (Williams)

Relating to the requirements for grant programs funded through the Texas emissions reduction plan.

(viva voce vote) (31-0) (31-0)

CSHB 3409 (Williams)

Relating to reporting of lobbying activities and changes in lobbying activities.

(viva voce vote) (31-0) (31-0)

HB 3421 (Wentworth)

Relating to the designation of the El Camino Real de los Tejas National Historic Trail as a historic highway.

(viva voce vote) (31-0) (31-0)

HB 3422 (Hinojosa)

Relating to the use of auction proceeds from the sale of abandoned motor vehicles, watercraft, or outboard motors to compensate certain property owners.

(viva voce vote) (31-0) (31-0)

(Senator Uresti in Chair)**CSHB 3453** (Eltife)

Relating to the regulatory authority of the consumer credit commissioner and to fees and interest charged in connection with consumer credit transactions.

(viva voce vote) (31-0) (31-0)

CSHB 3459 (Whitmire)

Relating to the containment of costs incurred in the correctional health care system.

(viva voce vote) (31-0) (31-0)

CSHB 3468 (Shapiro)

Relating to high school readiness, to the assessment of public school students for college readiness and developmental education courses to prepare students for college-level coursework, and to teacher certification to teach at certain grade levels in public school.

(viva voce vote) (31-0) (31-0)

HB 3474 (Watson)

Relating to criminal offenses regarding the possession or consumption of alcoholic beverages by a minor and providing alcoholic beverages to a minor.

(viva voce vote) (31-0) (31-0)

HB 3475 (West)

Relating to the recusal and disqualification of municipal judges.

(viva voce vote) (31-0) (31-0)

HB 3580 (Duncan)

Relating to the issuance of specialty license plates for surviving spouses of disabled veterans of the United States armed forces.

(viva voce vote) (31-0) (31-0)

(Senator Eltife in Chair)

HB 3597 (Uresti)

Relating to the powers and duties of certain public improvement districts operated by counties.

(viva voce vote) (31-0) (31-0)

(Senator Uresti in Chair)

HB 3674 (Duncan)

Relating to the use of an unsworn declaration.

(viva voce vote) (31-0) (31-0)

HB 3724 (Zaffirini)

Relating to the Chronic Kidney Disease Task Force.

(viva voce vote) (31-0) (31-0)

HB 3730 (Hinojosa)

Relating to certain privatization of maintenance contracts awarded by the Texas Department of Transportation.

(viva voce vote) (31-0) (31-0)

CSHB 3743 (Watson)

Relating to the rights, powers, functions, and duties of the West Travis County Municipal Utility District No. 5.

(viva voce vote) (31-0) (31-0)

HB 3746 (Carona)

Relating to investigations of certain offenses involving the Internet-based sexual exploitation of a minor; creating the Internet crimes against children account to support those activities.

(viva voce vote) (31-0) (31-0)

CSHB 3771 (Williams)

Relating to the authority of the Texas Department of Transportation to adopt safety standards for high-speed rail.

(viva voce vote) (31-0) (31-0)

(Senator Eltife in Chair)**CSHB 3804** (Uresti)

Relating to the creation of the Lajitas Utility District No. 1 of Brewster County; providing authority to impose taxes and issue bonds; granting a limited power of eminent domain.

(viva voce vote) (31-0) (31-0)

(Senator Uresti in Chair)**HB 3813** (Wentworth)

Relating to the Hudson Ranch Fresh Water Supply District No. 1.

(viva voce vote) (31-0) (31-0)

CSHB 3827 (Hegar)

Relating to the creation of the Fulshear Town Center Management District; providing authority to impose an assessment, impose a tax, and issue bonds.

(viva voce vote) (31-0) (31-0)

HB 3834 (Hegar)

Relating to the creation of North Fort Bend County Improvement District No. 1; providing authority to levy an assessment, impose a tax, and issue bonds.

(viva voce vote) (31-0) (31-0)

HB 3837 (Hegar)

Relating to the designation of a portion of U.S. Highway 183 as the Cpl. Jason K. LaFleur Memorial Highway.

(viva voce vote) (31-0) (31-0)

HB 3840 (Nelson)

Relating to the extension of the deadline for holding the confirmation and initial directors' election of the Tradition Municipal Utility District No. 2 of Denton County.

(viva voce vote) (31-0) (31-0)

(Senator Eltife in Chair)**HB 3842** (Patrick)

Relating to the creation of the Bridgeland Management District; providing authority to levy an assessment, impose a tax, and issue bonds.

(viva voce vote) (31-0) (31-0)

HB 3843 (Whitmire)

Relating to excluding certain territory from the Harris County Road Improvement District No. 2.

(viva voce vote) (31-0) (31-0)

HB 3844 (Fraser)

Relating to the creation of criminal law magistrates for Burnet County.

(viva voce vote) (31-0) (31-0)

CSHB 3845 (Ogden)

Relating to the powers of the CLL Municipal Utility District No. 1; providing authority to levy an assessment, impose a tax, and issue bonds.

(viva voce vote) (31-0) (31-0)

HB 3856 (Watson)

Relating to the proceedings that may be referred to and the powers of a criminal law magistrate in Travis County.

(viva voce vote) (31-0) (31-0)

HB 3866 (Fraser)

Relating to the date for the election of directors of the Hill Country Underground Water Conservation District.

(viva voce vote) (31-0) (31-0)

HCR 129 (Zaffirini)

Notifying the U.S. Department of Education that certain career schools or colleges are legally authorized by the state of Texas to operate educational programs beyond secondary education.

(viva voce vote)

SB 1929 (Seliger)

Relating to the application of the professional prosecutors law to the district attorney for the 287th Judicial District.

(viva voce vote) (31-0) (31-0)

CSHB 2089 (Fraser)

Relating to the resolution of overpayment or underpayment of income benefits under the workers' compensation program.

(viva voce vote) (31-0) (31-0)

**BILLS REMOVED FROM
LOCAL AND UNCONTESTED CALENDAR**

Senator Fraser, sponsor of the bill, requested in writing that **HB 831** be removed from the Local and Uncontested Calendar.

Senator Uresti, sponsor of the bill, requested in writing that **HB 1854** be removed from the Local and Uncontested Calendar.

Senator Davis and Senator Eltife requested in writing that **HB 2190** be removed from the Local and Uncontested Calendar.

Senator Davis and Senator Eltife requested in writing that **HB 2338** be removed from the Local and Uncontested Calendar.

Senator Davis and Senator Eltife requested in writing that **HB 3207** be removed from the Local and Uncontested Calendar.

RECESS

Pursuant to a previously adopted motion, the Senate at 10:30 a.m. recessed until 10:30 a.m. today.